IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL REVISION APPLICATION No.177 of 1998.

Nandu Kesu Pathare ..Applicant.

Vs.

The State of Maharashtra & Ors ..Respondents.

B. R. Patil for the Applicant.

Y. S. Shinde, A.P.P. for the Respondent No.1.

CORAM: V.C. DAGA, J.
DATED: 2ND JULY, 2007.

P.C.:-

1. Perused record.

2. Heard learned counsel for the applicant and learned A.P.P. for the State.

3. The revision is directed against the order dated 13.2.1998 passed by the Additional Sessions Judge, Pune in Sessions Case No.624 of 1991, whereunder all the respondents-accused persons are acquitted holding them not guilty for the offences punishable under Sections 147, 148,149,427,452,324 and 302 read with Section 34 of the Indian Penal Code and under Section 4 read with Section 25 of the Arms Act.

4. Mr B. R. Patil, learned counsel for the applicant assails impugned order and the findings recorded thereto.

5. Having gone through the impugned order and findings recorded thereto, no fault can be found with the findings drawn by the learned Sessions Judge and the reasons recorded thereunder. The view taken by the learned Sessions Judge is sustainable on the basis of evidence available on record.

6. The revisional jurisdiction of this Court is severely restricted and it cannot embark upon reappreciation of evidence. This Court is not entitled to reverse an acquittal on finding fact different from that of Trial Court as held by Apex Court in **Bansilal vs Laxman, AIR 1986 SC 1721.**

7. In the above view of the matter, no case is made out to interfere with the impugned order. Revision is, therefore, dismissed with no order as to costs.

(V.C. DAGA,J.)